IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2987 OF 2007

...

Mr.Prabhakar Deorao Patil
and ors. ...Petitioners

v/s.

The Special Land Acquisition Officer
No.4, Solapur & Ors. ...Respondents

...

Mr.Umesh Manakapure for the Petitioners.
Ms.S.S.Bhende, AGP for State.

...

CORAM: D.K.DESHMUKH &
V.M.KANADE, JJ.

DATED: 27TH NOVEMBER, 2007

P.C.:

1. According to the Petitioner the land was compulsorily acquired by the State Government for

public purpose. According to him, though the possession of the land has been taken by the Government, it has not been actually used by the Government for the purpose it was acquired. Therefore, in terms of two Government Resolutions which have been filed with the petition land should be returned to him.

2. It is now a settled law, as a result of the judgment of the Supreme Court, that once the land is compulsorily acquired and possession is taken by the Government, link of the owner with the land is snapped. If the land becomes surplus for the purpose for which it was acquired, the Government can use the land for any other public purpose. It is not the case of the Petitioner that the Government is not using the land for any other public purpose. The Petitioner, therefore, cannot get the land back. Petition disposed of.

(D.K.DESHMUKH, J.)

(V.M.KANADE, J.)